



SECOR  
✓  
3

**FILING RECEIPT**

**PLEASE DATE STAMP AND RETURN TO US - BOX 34385**

In re application of:

Rob R. MONTGOMERY

Application No. 09/963,742 ✓

Confirmation No. (Unassigned)

Filed: September 27, 2001

For: BUYER-SIDE AUCTION DYNAMIC  
PRICING AGENT, SYSTEM, METHOD  
AND COMPUTER PROGRAM  
PRODUCT

Art Unit: (Unassigned)

Examiner: (Unassigned)

Atty. Docket No.: 35646-175138

Customer No.:



26694

PATENT TRADEMARK OFFICE

**PAPER(S) FILED ENTITLED:**

1. Response to Notice to File Missing Parts  
*(with executed Declaration & Power of Attorney and copy of Notice)*
2. Fee Transmittal
3. Check for \$65.00

VENABLE

1201 New York Avenue, N.W.

Suite 1000

Washington, D.C. 20005-3917

Telephone: (202) 962-4800

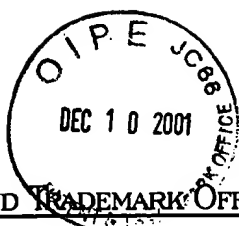
Facsimile: (202) 962-8300

DOCKET NO.: 35646-175183

ATTORNEY/SEC: RPA/lpm

Date Filed: December 10, 2001

***Venable Filing No. 101765***



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/963,742	09/27/2001	Rob R. Montgomery	35646-175183

CONFIRMATION NO. 9308

26694  
VENABLE, BAETJER, HOWARD AND CIVILETTI, LLP  
P.O. BOX 34385  
WASHINGTON, DC 20043-9998

## FORMALITIES LETTER



\*OC000000006955051\*

Date Mailed: 10/23/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

12/12/2001 NH0HAKH1 00000006 09963742

01 FC:205

65.00 OP

(3)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

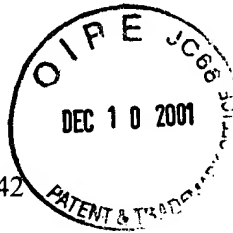
Rob R. MONTGOMERY

Application No. 09/963,742

Confirmation No. 9308

Filed: September 27, 2001

For: BUYER-SIDE AUCTION DYNAMIC  
PRICING AGENT, SYSTEM, METHOD  
AND COMPUTER PROGRAM  
PRODUCT



Art Unit: 2161

Examiner: (Unassigned)

Atty. Docket No.: 35646-175183

Customer No.:



26694

PATENT TRADEMARK OFFICE

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

**Attention: Box Missing Parts**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Notice to file Missing Parts of Non-Provisional Application mailed November 26, 2001 submitted herewith are:

- ☒ *Executed Declaration and Power of Attorney in compliance with 37 C.F.R. § 1.63;*
- ☒ *Copy of Notice to File Missing Parts of Nonprovisional Application*

**TOTAL FEE SUBMITTED: \$65.00 (fees previously paid)**

If a greater or lesser fee is required, PTO is authorized to charge and/or credit Deposit Account No. 22-0261. For any further information, please contact me at the address listed below.

Respectfully submitted,

VENABLE, BAETJER, HOWARD & CIVILETTI, L.L.P.

Date Filed: December 10, 2001

A handwritten signature in cursive script, appearing to read "Ralph P. Albrecht".

Ralph P. Albrecht  
Attorney for Applicant  
Registration No. 43,466

VENABLE  
P.O. Box 34385  
Washington, D.C. 20005-3917  
Telephone: (202) 962-4045  
Facsimile: (202) 962-8300

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

DEC 10 2001

PATENT & TRADEMARK OFFICE

## Complete if Known

Application Number	09/963,742
Filing Date	September 27, 2001
First Named Inventor	Rob R. MONTGOMERY
Examiner Name	(Unassigned - New Application)
Group / Art Unit	(Unassigned)
Attorney Docket No.	35646-175183

TOTAL AMOUNT OF PAYMENT (\$ 65

### METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit  
Account  
Number

22-0261

Deposit  
Account  
Name

VENABLE

- ☒ Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17  
☐ Applicant claims small entity status.  
See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money  
Order ☐ Other

### FEE CALCULATION

#### 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1)

(\$ 0

#### 2. EXTRA CLAIM FEES

	Total Claims	Extra Claims	Fee from below	Fee Paid
	-20	= 0	X 9	= 0
Independent Claims	-3	= 0	X	= 0
Multiple Dependent		X		= 0

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$ 0

\*\*or number previously paid, if greater; For Reissues, see above

### FEE CALCULATION (continued)

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid	
105	130	205	65	Surcharge - late filing fee or oath
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.
139	130	139	130	Non-English specification
147	2,520	147	2,520	For filing a request for reexamination
112	920*	112	920*	Requesting publication of SIR prior to Examiner action
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action
115	110	215	55	Extension for reply within first month
116	390	216	195	Extension for reply within second month
117	890	217	445	Extension for reply within third month
118	1,390	218	695	Extension for reply within fourth month
128	1,890	228	945	Extension for reply within fifth month
119	310	219	155	Notice of Appeal
120	310	220	155	Filing a brief in support of an appeal
121	270	221	135	Request for oral hearing
138	1,510	138	1,510	Petition to institute a public use proceeding
140	110	240	55	Petition to revive - unavoidable
141	1,240	241	620	Petition to revive - unintentional
142	1,240	242	620	Utility issue fee (or reissue)
143	440	243	220	Design issue fee
144	600	244	300	Plant issue fee
122	130	122	130	Petitions to the Commissioner
123	130	123	130	Petitions related to provisional applications
126	180	126	180	Submission of Information Disclosure Stmt
581	40	581	40	Recording each patent assignment per property (times number of properties)
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))
179	710	279	355	Request for Continued Examination (RCE)
169	900	169	900	Request for expedited examination of a design application

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 65

### SUBMITTED BY

### Complete (if applicable)

Name (Print/Type)	RALPH P. ALBRECHT	Registration No. Attorney/Agent)	43,466	Telephone	(202) 216 8166
Signature				Date	December 10, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

VENABLE  
ATTORNEYS AT LAW

SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.